

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA (RICHMOND)

In Re: ) Case No. 08-35653-KRH  
CIRCUIT CITY STORES, INC., et ) Richmond, Virginia  
al., )  
Debtors. ) April 5, 2017  
2:04 PM  
----- )

TRANSCRIPT OF HEARING ON  
ADVERSARY CASE 17-03042. COMPLAINT AGAINST SAFECO INSURANCE  
COMPANY OF AMERICA FILED BY ALFRED H. SIEGEL, TRUSTEE OF THE  
CIRCUIT CITY STORES, INC. LIQUIDATING TRUST. (ATTACHMENTS: #  
(1) APPENDIX A) NATURE OF SUIT: (91 (DECLARATORY JUDGMENT)),  
(11 (RECOVERY OF MONEY/PROPERTY -542 TURNOVER OF PROPERTY))  
ASSOCIATED BANKRUPTCY CASE NUMBER: 3:08-BK-35653 (TAVENNER,  
LYNN) (DOCKET NO. 1)

NOTICE OF HEARING (LIQUIDATING TRUST'S FORTIETH OMNIBUS  
OBJECTION TO CLAIM NUMBERS 12631) (CLAIMANT CW INVESTORS 1997  
12 BY ITS RECEIVER CW CAPITAL ASSET MANAGEMENT LLC AS SPECIAL  
SERVICER FOR BANK OF AMERICA NA) (DOCKET NO. 14018)

NOTICE OF HEARING (LIQUIDATING TRUST'S THIRTY-FIRST OMNIBUS  
OBJECTION TO CLAIM NUMBER 8244) (CLAIMANT PATRICIA A. PERRY  
F/K/A PATRICIA SCOTT) (DOCKET NO. 14019)

NOTICE OF HEARING (LIQUIDATING TRUST'S TWENTY-EIGHTH AND FORTY-  
SECOND OMNIBUS OBJECTIONS TO CLAIM NUMBER 12992) (CLAIMANT  
UNIWEST MANAGEMENT SERVICES INC. OWNER OR AGENT FOR BATTLEFIELD  
FE LIMITED PARTNERS, T/A FORT EVANS PLAZA II LEESBURG, VA)  
(DOCKET NO. 14020)

NOTICE OF HEARING (LIQUIDATING TRUST'S TWENTY-FIRST OMNIBUS  
OBJECTION TO CLAIM NUMBER 12529) (CLAIMANT CW INVESTORS 1997 12  
BY ITS RECEIVER CW CAPITAL ASSET MANAGEMENT LLC) (DOCKET NO.  
14021)

NOTICE OF HEARING (LIQUIDATING TRUST'S TWENTIETH OMNIBUS  
OBJECTION TO CLAIM NUMBER 12544) (CLAIMANT CENCOR REALTY  
SERVICES INC. AGENT FOR SWQ 35 FORUM LTD) (DOCKET NO. 14022)

NOTICE OF HEARING (LIQUIDATING TRUST'S TWENTIETH OMNIBUS  
OBJECTION TO CLAIM NUMBER 12541) (CLAIMANTS CENCOR REALTY  
SERVICES INC. AGENT FOR SWQ 35 FORUM LTD) (DOCKET NO. 14023)

1 NOTICE OF HEARING (LIQUIDATING TRUST'S TWENTIETH OMNIBUS  
2 OBJECTION TO CLAIM NUMBER 12086) (CLAIMANT FEDERAL REALTY  
3 INVESTMENT TRUST T/A TROY HILLS SHOPPING CENTER PARSIPPANY NJ)  
(DOCKET NO. 14024)

4 NOTICE OF HEARING (LIQUIDATING TRUST'S TWENTIETH AND FORTIETH  
5 OMNIBUS OBJECTIONS TO CLAIM NUMBER 12085) (CLAIMANT FEDERAL  
6 REALTY INVESTMENT TRUST T/A TROY HILLS SHOPPING CENTER,  
PARSIPPANY, NJ) (DOCKET NO. 14025).

7 NOTICE OF HEARING (LIQUIDATING TRUST'S FIFTEENTH AND FORTY-  
8 SECOND OMNIBUS OBJECTIONS TO CLAIM NUMBER 1898) (CLAIMANT UBS  
REALTY INVESTORS LLC AGENT FOR WAYSIDE COMMONS INVESTORS LLC  
T/A WAYSIDE COMMONS BURLINGTON MA (DOCKET NO. 14026)

9 NOTICE OF HEARING (LIQUIDATING TRUST'S FOURTEENTH OMNIBUS  
10 OBJECTION TO CLAIM NUMBER 12548) (CLAIMANT UNIWEST MANAGEMENT  
11 SERVICES INC., OWNER OR AGENT FOR BATTLEFIELD FE LIMITED  
PARTNER T/A FORT EVANS PLAZA II LEESBURG, VA) (DOCKET NO.  
14027)

12 NOTICE OF HEARING (LIQUIDATING TRUST'S FOURTEENTH AND FORTY-  
13 SECOND OMNIBUS OBJECTIONS TO CLAIM NUMBER 8107) (CLAIMANT UBS  
14 REALTY INVESTORS LLC AGENT FOR HAPPY VALLEY TOWN CENTER PHOENIX  
AZ) (DOCKET NO. 14028)

15 NOTICE OF HEARING (LIQUIDATING TRUST'S NINTH AND FORTIETH  
16 OMNIBUS OBJECTIONS TO CLAIM NUMBER 12545) (CLAIMANT FEDERAL  
REALTY INVESTMENT TRUST T/A QUINCE ORCHARD SHOPPING CENTER,  
GAITHERSBURG, MD (DOCKET NO. 14029)

17 NOTICE OF HEARING (LIQUIDATING TRUST'S FIFTEENTH AND SIXTY-  
18 FOURTH OMNIBUS OBJECTIONS TO CLAIM NUMBERS 9734 AND 9413)  
(CLAIMANTS BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO  
19 LASALLE BANK N.A. (F/K/A LASALLE NATIONAL BANK), AS TRUSTEE FOR  
THE REGISTERED HOLDERS OF GMACCM MORTGAGE PASS-THROUGH  
20 CERTIFICATES, SERIES 1997-C1 AND CC INDEPENDENCE, LLC) (DOCKET  
NO. 14030)

21 NOTICE OF HEARING (LIQUIDATING TRUST'S FIFTEENTH, THIRTY-NINTH,  
22 FORTY-THIRD, AND SIXTY-FOURTH OMNIBUS OBJECTIONS TO CLAIM  
NUMBERS 9707 AND 9407) (CLAIMANTS BANK OF AMERICA, N.A.,  
23 SUCCESSOR BY MERGER TO LASALLE BANK N.A. (F/K/A LASALLE  
NATIONAL BANK), AS TRUSTEE FOR THE REGISTERED HOLDERS OF GMACCM  
24 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 1997-C1 AND CC  
LAFAYETTE, LLC) (DOCKET NO. 14031)

1 NOTICE AND OBJECTION TO CLAIM OF COMMONWEALTH OF MASSACHUSETTS  
2 LIQUIDATING TRUST'S OBJECTION TO CLAIM NO.14832 FILED BY THE  
COMMONWEALTH OF MASSACHUSETTS (DOCKET NO. 10066)

3 NOTICE AND OBJECTION TO CLAIM OF COMMONWEALTH OF VIRGINIA  
4 DEPARTMENT OF TAXATION LIQUIDATING TRUST'S OBJECTION TO CLAIM  
NOS. 12898 AND 14636 FILED BY THE COMMONWEALTH OF VIRGINIA  
5 DEPARTMENT OF TAXATION (DOCKET NO. 10070)

6 NOTICE AND OBJECTION TO CLAIM LIQUIDATING TRUST'S FIRST OMNIBUS  
7 OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN PARTIALLY  
8 INVALID CLAIMS, RECLASSIFICATION OF CERTAIN MISCLASSIFIED  
CLAIMS, DISALLOWANCE OF CERTAIN INVALID CLAIMS, DISALLOWANCE OF  
CERTAIN OF LATE FILED CLAIMS, DISALLOWANCE OF CERTAIN AMENDED  
CLAIMS AND DISALLOWANCE OF CERTAIN INVALID CLAIMS) (DOCKET NO.  
10024)

9 NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S FOURTH  
10 OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN  
11 PARTIALLY INVALID CLAIMS AND DISALLOWANCE OF CERTAIN INVALID  
CLAIMS) (DOCKET NO. 10041)

12 NOTICE AND OBJECTION TO CLAIM -SIXTH OMNIBUS OBJECTION TO  
13 CLAIMS (DISALLOWANCE OF CERTAIN INVALID UNLIQUIDATED CLAIMS AND  
FIXING OF CERTAIN UNLIQUIDATED CLAIMS) (DOCKET NO. 10043)

14 NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S NINTH  
15 OMNIBUS OBJECTION TO LANDLORD CLAIMS(REDUCTION OF CERTAIN  
16 PARTIALLY INVALID CLAIMS, RECLASSIFICATION OF CERTAIN  
MISCLASSIFIED CLAIMS, DISALLOWANCE OF CERTAIN INVALID CLAIMS,  
DISALLOWANCE OF CERTAIN OF LATE FILED CLAIMS, AND DISALLOWANCE  
OF CERTAIN AMENDED CLAIMS) (DOCKET NO. 10047)

17 NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S FOURTEENTH  
18 OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN  
19 PARTIALLY INVALID CLAIMS, RECLASSIFICATION OF CERTAIN  
MISCLASSIFIED CLAIMS, DISALLOWANCE OF CERTAIN INVALID CLAIMS,  
20 DISALLOWANCE OF CERTAIN OF LATE FILED CLAIMS, DISALLOWANCE OF  
CERTAIN DUPLICATE CLAIMS, AND DISALLOWANCE OF CERTAIN AMENDED  
CLAIMS) (DOCKET NO. 10052)

21 NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S FIFTEENTH  
22 OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN  
23 PARTIALLY INVALID CLAIMS, RECLASSIFICATION OF CERTAIN  
MISCLASSIFIED CLAIMS, DISALLOWANCE OF CERTAIN INVALID CLAIMS,  
24 DISALLOWANCE OF CERTAIN OF LATE FILED CLAIMS, DISALLOWANCE OF  
CERTAIN DUPLICATE CLAIMS, AND DISALLOWANCE OF CERTAIN AMENDED  
CLAIMS) (DOCKET NO. 10053)

1 NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S SEVENTEENTH  
2 OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN  
3 PARTIALLY INVALID CLAIMS, RECLASSIFICATION OF CERTAIN  
4 MISCLASSIFIED CLAIMS, DISALLOWANCE OF CERTAIN INVALID CLAIMS,  
5 DISALLOWANCE OF CERTAIN LATE FILED CLAIMS, DISALLOWANCE OF  
6 CERTAIN DUPLICATE CLAIMS, AND DISALLOWANCE OF CERTAIN AMENDED  
7 CLAIMS) (DOCKET NO. 10061)

8 NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S EIGHTEENTH  
9 OMNIBUS OBJECTION TO CLAIMS FILED BY TAXING AUTHORITIES  
10 (REDUCTION OF CERTAIN PARTIALLY INVALID CLAIMS; DISALLOWANCE OF  
11 CERTAIN INVALID CLAIMS; DISALLOWANCE OF CERTAIN DUPLICATE  
12 CLAIMS; RECLASSIFICATION OF CERTAIN CLAIMS; DISALLOWANCE OF  
13 CERTAIN AMENDED OR SUPERSEDED CLAIMS; DISALLOWANCE OR REDUCTION  
14 OF CERTAIN LATE FILED CLAIMS; DISALLOWANCE OF CERTAIN INVALID  
15 CLAIMS; AND FIXING THE AMOUNT OF CERTAIN CLAIMS) (DOCKET NO.  
16 10062)

17 NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S TWENTIETH  
18 OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN  
19 PARTIALLY INVALID CLAIMS, RECLASSIFICATION OF CERTAIN  
20 MISCLASSIFIED CLAIMS, DISALLOWANCE OF CERTAIN INVALID CLAIMS,  
21 DISALLOWANCE OF CERTAIN OF LATE FILED CLAIMS, DISALLOWANCE OF  
22 CERTAIN DUPLICATE CLAIMS AND DISALLOWANCE OF CERTAIN AMENDED  
23 CLAIMS) (DOCKET NO. 10072)

24 NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S TWENTY-FIRST  
25 OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN  
PARTIALLY INVALID CLAIMS, RECLASSIFICATION OF CERTAIN  
MISCLASSIFIED CLAIMS, DISALLOWANCE OF CERTAIN INVALID CLAIMS,  
DISALLOWANCE OF CERTAIN OF LATE FILED CLAIMS, AND DISALLOWANCE  
OF CERTAIN AMENDED CLAIMS) (DOCKET NO. 10073)

NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S TWENTY-THIRD  
OMNIBUS OBJECTION TO CLAIMS (DISALLOWANCE OF CERTAIN INVALID  
UNLIQUIDATED CLAIMS AND FIXING OF CERTAIN UNLIQUIDATED CLAIMS  
HEARING (DOCKET NO. 11388)

OMNIBUS OBJECTION TO CLAIM -LIQUIDATING TRUST'S TWENTY-EIGHTH  
OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN  
PARTIALLY INVALID CLAIMS, DISALLOWANCE OF CERTAIN INVALID  
CLAIMS, DISALLOWANCE OF CERTAIN LATE FILED CLAIMS, AND  
DISALLOWANCE OF CERTAIN AMENDED CLAIMS) (DOCKET NO. 11445)

OBJECTION TO CLAIM -LIQUIDATING TRUST'S THIRTY-FIRST OMNIBUS  
OBJECTION TO CLAIMS (DISALLOWANCE OF CERTAIN INVALID CLAIMS) &  
NOTICE OF LIQUIDATING TRUST'S THIRTIETH OMNIBUS OBJECTION TO  
CLAIMS (DISALLOWANCE OF CERTAIN INVALID CLAIMS (DOCKET NO.  
11809)

1 NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S THIRTY-NINTH  
2 OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN  
3 INVALID CLAIMS-MITIGATION) (DOCKET NO. 11850)

4 NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S FORTIETH  
5 OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN  
6 INVALID CLAIMS-MITIGATION) (DOCKET NO. 11851)

7 NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S FORTY-FIRST  
8 OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN  
9 INVALID CLAIMS-MITIGATION) (DOCKET NO. 11852)

10 NOTICE AND OBJECTION TO CLAIM -LIQUIDATING TRUST'S FORTY-SECOND  
11 OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN  
12 INVALID CLAIMS-MITIGATION) (DOCKET NO. 11853)

13 NOTICE AND OBJECTION TO CLAIM (NOTICE OF LIQUIDATING TRUST'S  
14 SIXTY-FOURTH OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF  
15 CERTAIN PARTIALLY INVALID CLAIMS)) (DOCKET NO. 12446)

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
BEFORE THE HONORABLE KEVIN R. HUENNEKENS  
UNITED STATES BANKRUPTCY JUDGE

1 APPEARANCES:

2 For the Circuit City Stores,  
3 Inc. Liquidating Trust:

DAVID N. TABAKIN, ESQ.  
TAVENNER & BERAN, PLC  
20 North Eighth Street  
2nd Floor  
Richmond, VA 23219

4  
5 ANDREW W. CAINE, ESQ.  
PACHULSKI STANG ZIEHL & JONES  
6 LLP  
10110 Santa Monica Boulevard  
Los Angeles, CA 90067

7 For KeyBank National  
8 Association, U.S. Bank National  
9 Association as Trustee:

ROBERT J. EDWARDS, ESQ.  
POL SINELLI PC  
900 West 48th Place  
Suite 9001  
Kansas City, MO 64112

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21 Transcription Services:

eScribers, LLC  
352 Seventh Avenue  
Suite #604  
New York, NY 10001  
(973) 406-2250

22  
23  
24 PROCEEDINGS RECORDED BY ELECTRONIC SOUND RECORDING.

25 TRANSCRIPT PRODUCED BY TRANSCRIPTION SERVICE.

Colloquy

7

1 THE COURT OFFICER: All rise. The court is now in  
2 session.

3 Please be seated and come to order.

4 THE CLERK: Circuit City Stores, Inc., items 1 through  
5 34 on proposed agenda.

6 MR. CAINE: Good afternoon, Your Honor.

7 THE COURT: Good afternoon.

8 MR. CAINE: Andrew Caine, Pachulski Stang Ziehl &  
9 Jones, for the liquidating trust. With me is David Tabakin,  
10 our Richmond counsel, and Katie Bradshaw, senior trust officer.

11 Your Honor, if you don't mind, Mr. Edwards is here in  
12 person and has --

13 THE COURT: I don't mind that Mr. Edwards is here at  
14 all.

15 MR. CAINE: -- and has his client on the phone, and  
16 would request that we handle numbers 14 and 15 out of order, if  
17 that's acceptable.

18 THE COURT: I have no problem with that. Does that  
19 suit you?

20 MR. CAINE: Yes, it's fine, Your Honor.

21 THE COURT: Okay, very good. We can certainly  
22 accommodate him.

23 MR. CAINE: Good.

24 THE COURT: So Mr. Edwards -- okay, whose motion is  
25 this?

Colloquy

8

1 MR. CAINE: Well, Your Honor, I will begin.

2 THE COURT: Okay.

3 MR. CAINE: Item number 14 is --

4 THE COURT: It's your objection, right?

5 MR. CAINE: It's our objection. And we noticed for  
6 substantive hearing the trust's objections to claim number 9734  
7 of Bank of America, which is Mr. Edwards' client --

8 THE COURT: Right.

9 MR. CAINE: -- and also to claim number 9413, which  
10 was the claim of the landlord, CC Independence, LLC.

11 In the notice of substantive hearing, the trust has  
12 requested that Bank of America's claim, 9734, be allowed in the  
13 amount of \$718,269.82, which is the amount that the trust  
14 reconciled with the lender to be the appropriate amount of this  
15 claim.

16 THE COURT: I'm sorry, that number is 718,269 --

17 MR. CAINE: And eighty-two cents.

18 THE COURT: Eighty-two cents. Got it.

19 MR. CAINE: Yes. The notice of substantive hearing  
20 asked that the claim of the landlord, claim number 9413, be  
21 expunged, based on information that the lender has provided  
22 that demonstrates that it foreclosed on the property and is the  
23 rightful owner of the claim.

24 Mr. Edwards is here, did file a notice of intention  
25 along with an affidavit of his client, to demonstrate the



1 lender's rightful ownership of the claim. The landlord was  
2 duly noticed, but did not file any notice of intention. And in  
3 fact, we checked with them by email at the end of the last  
4 week, and they did not respond to that either.

5 So Your Honor, we -- the trust requests the relief  
6 that I have just summarized. But Mr. Edwards is also here as  
7 well.

8 THE COURT: All right, very good.

9 Mr. Edwards, do you wish to be heard?

10 MR. EDWARDS: Yes, thank you, Your Honor. Rob  
11 Edwards, the Polsinelli firm, on behalf of certain lender  
12 trusts. And I have with me on the phone my client  
13 representative, Mr. Robert Records, who's actually appearing  
14 under my call information.

15 Mr. Records is the vice president of special servicing  
16 for KeyBank National Association, who is the special servicer  
17 for the lender trust at issue here. We submitted an affidavit  
18 on behalf -- or Mr. Records submitted an affidavit in support  
19 of our position here today, which is that we are the rightful  
20 holder of the claim.

21 Mr. Records, if he were to testify, would testify  
22 consistently with what's set out in his affidavit. He's  
23 responsible for overseeing the loans that are secured by the  
24 property at issue. He's familiar with the loan file, the way  
25 that the loan file was maintained. He's attached to his

1 affidavit the relevant loan documents as well as the proof that  
2 the property and all the collateral, including the lease  
3 interests, were foreclosed in 2009.

4 So we'd be willing to present anything that Your Honor  
5 may want to hear, but I think based on his affidavit, that it's  
6 clear that the claim belongs to my client.

7 THE COURT: All right, Mr. Edwards. I have the  
8 affidavit of Mr. Records right in front of me here, and I have  
9 read it and reviewed it. I'm familiar with it.

10 Does any party wish to cross-examine the proffered  
11 witness?

12 Okay, hearing no objection, I accept the proffer of  
13 Mr. Records' testimony. He will not need to testify or provide  
14 any other information. I'm satisfied with it on the record.

15 MR. EDWARDS: Thank you, Your Honor.

16 THE COURT: And the affidavit will be admitted as an  
17 exhibit to this proceeding.

18 (Affidavit of Mr. Records was hereby received into evidence  
19 as KeyBank National Association's Exhibit, as of this date)

20 MR. EDWARDS: Thank you, Your Honor.

21 THE COURT: You're welcome.

22 MR. CAINE: Your Honor, as a result, the trust asks  
23 that claim number 9413 be expunged, and that claim number 9734  
24 be allowed in the amount of \$718,269.82.

25 THE COURT: All right. So the Court will then allow

1 claim number 9734 in the amount of \$718,269.82.

2 Now, help me with just a housekeeping matter with  
3 claim number 9413. I'm having trouble locating that on your  
4 Exhibit B; or am I just looking in the wrong place? Or where  
5 do I find that claim?

6 MR. CAINE: The reason it's not on Exhibit B, Your  
7 Honor, is because it was previously reported at settled. And  
8 the reason we ended up here is because the landlord and the  
9 lender were having a problem with the documentation of the  
10 settlement. So in order to get it finally resolved, we had to  
11 be here.

12 THE COURT: Excellent. Thank you. That solves that  
13 mystery. All right. Very good. Does that take care of item  
14 number 14?

15 MR. CAINE: It does, Your Honor. We will submit an  
16 order to that effect.

17 THE COURT: All right. Thank you, sir.

18 MR. CAINE: Item number 15, Your Honor, is very  
19 similar. Here the trust's notice of substantive hearing asks  
20 that claim number 9707 of Bank of America, the lender on this  
21 property, be allowed in the amount of \$629,471.36, which is --

22 THE COURT: Please, that number again?

23 MR. CAINE: Sure.

24 THE COURT: Slowly.

25 MR. CAINE: 629 --

1 THE COURT: Um-hum.

2 MR. CAINE: -- 471 --

3 THE COURT: Right.

4 MR. CAINE: -- and thirty-six cents.

5 THE COURT: Got it.

6 MR. CAINE: That's the amount that the trust and the  
7 lender reconciled and agreed. The landlord has admitted  
8 informally that it is not entitled to this claim. The  
9 documentation provided by the lender demonstrates that the  
10 lender is the proper owner of this claim. And so as a result,  
11 the trust has asked that 9707 be allowed in the amount that I  
12 just recited, and that claim number 9407 of the landlord be  
13 expunged.

14 Mr. Edwards, again, is here with the same proffer.

15 THE COURT: All right, Mr. Edwards, do you wish to  
16 make the same proffer?

17 MR. EDWARDS: I do, Your Honor. Yes, the exact same  
18 proffer.

19 THE COURT: Okay, and the Court, once again, accepts  
20 your proffer, seeing that there isn't anyone in the courtroom  
21 that wishes to object. So that is accepted, and the affidavit  
22 is admitted.

23 (Affidavit of Mr. Records was hereby received into evidence  
24 as U.S. Bank National Association Exhibit, as of this date)

25 MR. EDWARDS: Thank you very much, Your Honor.

1 THE COURT: Thank you sir.

2 MR. CAINE: Thank you, Your Honor. As a result, the  
3 trust requests that the Court order the relief as set forth in  
4 the notice for these two claims, and we'll be happy to submit  
5 orders thereof.

6 THE COURT: All right, very good. And I was able to  
7 locate both these claims. The claim number 9707 will be  
8 allowed in the amount of \$629,471.36, and claim number 9407  
9 will be expunged.

10 MR. CAINE: Thank you, Your Honor.

11 THE COURT: Thank you.

12 MR. CAINE: We'll submit orders on those.

13 THE COURT: Mr. Edwards, if you would like, you may be  
14 excused, sir.

15 MR. EDWARDS: Thank you, Your Honor. And --

16 THE COURT: You're welcome to sit through the rest of  
17 this.

18 MR. EDWARDS: I think I will go, Your Honor, see if I  
19 can get an earlier flight back to Kansas City. I assume Mr.  
20 Records can hear us. Could I just tell him that his part is  
21 now done, and --

22 THE COURT: His part is done, and if he would like to  
23 be -- he's granted leave as well, if has other things that he  
24 would like to attend to.

25 MR. EDWARDS: Thank you very much.

1 THE COURT: Thank you, sir. Safe flight.

2 MR. CAINE: I did see Mr. Edwards' photo on the screen  
3 and wondered how he was able to be in two places at once.

4 THE COURT: It's magic.

5 MR. CAINE: Magic. Returning to the top of the  
6 agenda, then, Your Honor. Item number 1 is the trust's  
7 adversary proceeding against SafeCo, which Your Honor had set  
8 for pre-trial conference for today's date. SafeCo filed a  
9 motion to dismiss originally noticed for the June 7th omnibus  
10 hearing. We requested and thank Your Honor for giving us a  
11 special setting date for that hearing on May 4th. And as a  
12 result, the agenda reflects that the parties have requested  
13 that the pre-trial conference be continued to the same time as  
14 the hearing on the motion to dismiss.

15 THE COURT: It will be.

16 MR. CAINE: Thank you, Your Honor.

17 THE COURT: Thank you.

18 MR. CAINE: Your Honor, number 2 on the agenda is the  
19 trust's objection to CW Investors. It's claim number 12631.  
20 The trust's notice asked that the claim be allowed in the  
21 reduced amount of \$1,057,581.17. This amount was agreed to  
22 between the trust and counsel for CW Investors, David Pollack  
23 of the Ballard firm; and the trust has also received all  
24 appropriate mitigation information.

25 So the trust requests that the Court enter an order in

1 the amount that I just recited, which is also in the notice, as  
2 well.

3 THE COURT: Does any party wish to be heard in  
4 connection with the motion or the objection?

5 All right, so that will be allowed in the amount of  
6 \$1,057,581.17.

7 MR. CAINE: Thank you, Your Honor. We will submit an  
8 order.

9 THE COURT: All right.

10 MR. CAINE: Your Honor, item number 3 is a notice of  
11 substantive hearing with respect to the trust's objection to  
12 the claim of Ms. Patricia Scott, now known as Patricia Perry.  
13 Ms. Scott filed a notice of intention to appear, but apparently  
14 called the clerk not long ago to indicate that she was not  
15 going to appear.

16 Rather than take her default, Your Honor, since she is  
17 pro per, we propose to postpone the substantive objection --  
18 the substantive hearing on the objection to the June 7th  
19 omnibus hearing. The trust believes that there is no basis for  
20 this claim. It is a discrimination in pay amount claim for an  
21 employee that was terminated in a reduction in force that  
22 included some ninety other employees, and the trust is prepared  
23 to make a detailed presentation as to why there is no claim,  
24 but we will also try to reach the claimant to see if there's a  
25 way to resolve it prior to that hearing.

1 THE COURT: All right. Very good. It'll be adjourned  
2 to June 7th.

3 MR. CAINE: Thank you. Item number 4, Your Honor, is  
4 a substantive hearing with respect to the trust's objection to  
5 the claim of Uniwest Management, claim number 12992. The  
6 notice submitted by the trust asked for the claim to be allowed  
7 in the reduced amount of \$803,238.79. Counsel for Uniwest,  
8 again, David Pollack, has agreed to this amount; and as a  
9 result, Your Honor, the trust requests that an order be entered  
10 for this amount.

11 THE COURT: He just represents all the landlords,  
12 doesn't he?

13 MR. CAINE: He represents all the ones we're here for  
14 today.

15 THE COURT: Oh, okay. Does any party wish to be heard  
16 in connection with the objection?

17 All right, that claim, then, will be allowed in the  
18 amount of \$803,238.79.

19 MR. CAINE: Thank you, Your Honor. We will submit the  
20 order.

21 THE COURT: All right.

22 MR. CAINE: Item number 5 is the claim of CW  
23 Investors, claim number 12529. This is an administrative claim  
24 with respect to the same location as we handled on item number  
25 2.



1           The trust has asked in the notice that the claim be  
2 allowed in the reduced amount of \$26,314.02. Mr. Pollack's  
3 client has agreed to this allowed amount. And as a result, we  
4 request an order of such allowance.

5           THE COURT: Does any party wish to be heard in  
6 connection with this objection?

7           All right. So the Court will allow the claim as an  
8 administrative claim in the amount of \$26,314.02.

9           MR. CAINE: Thank you, Your Honor. We will submit  
10 that order.

11           Item number 6 is the trust's substantive hearing with  
12 respect to the claim of Cencor Realty, claim number 12544.  
13 This is an administrative claim. The trust's notice asked that  
14 the claim be allowed in the reduced amount of \$24,909.01.  
15 Again, Cencor has agreed to the allowance in this amount; and  
16 as a result, the trust requests an order allowing that amount.

17           THE COURT: Does any party wish to be heard in  
18 connection with the objection?

19           All right. The Court will then allow that claim in  
20 the amount of \$24,909.01.

21           MR. CAINE: Thank you, Your Honor. We will submit  
22 that order.

23           Item number 7 is another claim of Cencor Realty for  
24 the same location. It's an unsecured claim, number 12541. The  
25 trust's notice requests that the claim be allowed in the

1 reduced amount of \$562,305.04. Again, the claimant agrees to  
2 this amount, and as a result, the trust requests the Court  
3 enter an order accordingly.

4 THE COURT: All right. Does any party wish to be  
5 heard in connection with the objection?

6 All right, claim number 12541 will be allowed as a  
7 general unsecured claim in the reduced amount of \$562,305.04.

8 MR. CAINE: Thank you, Your Honor. We will submit  
9 that order.

10 Item number 8, Your Honor, is the notice of  
11 substantive hearing to the trust's objection to the claim of  
12 Federal Realty Investment, claim number 12086. This is an  
13 administrative claim, Your Honor. The notice asked -- and you  
14 don't have to write this number down, because we've agreed to a  
15 different one -- that the claim be --

16 THE COURT: We used to call that foreshadowing in  
17 English class. Yes.

18 MR. CAINE: I saw you ready to write -- the notice  
19 asked that the claim be reduced to 311,617 dollars. After  
20 reconciliation and review of various documents with Mr.  
21 Pollack, the parties have reconciled the amount that is agreed  
22 between them, which is 478,615 dollars. It is this agreed  
23 allowed amount, Your Honor, that the parties request that the  
24 Court order at this time.

25 THE COURT: All right. Does any party wish to be

1 heard in connection with claim number 12086?

2 All right, the claim will be allowed as an  
3 administrative claim in the agreed amount for 478,615 dollars.

4 MR. CAINE: Thank you, Your Honor. We will submit  
5 that order.

6 Item number 9 concerns the same property, an unsecured  
7 claim of Federal Realty, claim number 12085. Similarly, the  
8 parties reconciled the amounts after reviewing several  
9 documents and request at this time that the claim be allowed  
10 for an amount slightly higher than was in the notice. The  
11 allowed amount requested is \$1,395,522.65. Based on the  
12 agreement of the parties, Your Honor, we request an order for  
13 that allowed amount.

14 THE COURT: Does any party wish to be heard in  
15 connection with the objection to claim number 12085?

16 All right, that claim will be allowed as a general  
17 unsecured claim in the agreed amount of \$1,395,522.65.

18 MR. CAINE: Thank you, Your Honor. We will submit  
19 that order.

20 Item number 10 concerns the trust's substantive  
21 hearing notice with respect to claim number 1898. It's an  
22 unsecured claim of UBS Realty Investors for a property in  
23 Massachusetts.

24 The notice requested and the parties have agreed that  
25 the claim be allowed in the reduced amount of \$211,712.87. As

1 a result, the parties request that the Court enter an order for  
2 that allowed amount.

3 THE COURT: Does any party wish to be heard in  
4 connection with the objection to claim number 1898?

5 All right. The Court will allow that claim as a  
6 general unsecured claim in the agreed amount of \$211,712.87.

7 MR. CAINE: Thank you, Your Honor. We will submit an  
8 order.

9 Item number 11 is the trust's notice of substantive  
10 hearing with respect to its objection to claim number 12548, an  
11 unsecured claim of Uniwest Management for a property in  
12 Leesburg, Virginia. The notice requested and the parties have  
13 agreed that the claim be reduced to an allowed amount of  
14 \$34,772.65. As a result, the parties request that the Court  
15 enter an order in that allowed amount.

16 THE COURT: Is that's an admin claim or is it a  
17 general unsecured claim?

18 MR. CAINE: That is an administrative claim, Your  
19 Honor.

20 THE COURT: Okay, very good.

21 All right, the Court then -- does any party wish to be  
22 heard in connection with objection to claim number 12548?

23 All right. The Court will allow that claim as an  
24 administrative claim in the agreed amount of \$34,772.65.

25 MR. CAINE: Thank you, Your Honor. We will submit an

1 order.

2 Item number 12, Your Honor, concerns the notice of  
3 substantive hearing with respect to claim number 8107, an  
4 unsecured claim of UBS Realty Investors. The objection was  
5 based on the potential of reduction of the claim based on  
6 mitigation. Mr. Pollack's client has provided information to  
7 suggest that no reduction is appropriate, and as a result, the  
8 trust withdraws the objection, Your Honor.

9 THE COURT: All right. That objection will be  
10 withdrawn.

11 MR. CAINE: And the final notice of substantive  
12 hearing, Your Honor, item number 13, is with respect to the  
13 claim of Federal Realty, claim number 12545, an unsecured claim  
14 for which the notice asked for a reduced allowed amount,  
15 \$236,784.05. Mr. Pollack and his client have conceded that  
16 that is the appropriate amount of the claim. And as a result,  
17 the parties request an order for that allowed amount.

18 THE COURT: Does any party wish to be heard in  
19 connection with the objection to claim number 12545?

20 All right, the Court then, will allow that claim in  
21 the amount of \$236,784.05.

22 MR. CAINE: Thank you, Your Honor. That concludes the  
23 substantive hearings. The next item on the agenda is item  
24 number 16, the trust's objection to the claim of the  
25 Massachusetts Department of Revenue. As Your Honor may recall,

1 we have been continuing this hearing because we have a  
2 tentative settlement with the Department that is awaiting the  
3 various administrative approvals.

4 We have expressed our frustration to our contact in  
5 the Department of Revenue, and have indicated that we intend to  
6 notice this matter for substantive hearing at the next omnibus  
7 hearing, which would be June 7th. So we've asked, Your Honor,  
8 that you continue this matter until June 7th, but just wanted  
9 to let you know, we're going to notice it for hearing.

10 Hopefully, that will light the appropriate fire, and  
11 we will be able to announce that we have an official  
12 settlement; but if not, I will be here with Mr. McDonald, who  
13 is the former VP of tax, and we will make our presentation as  
14 to why the amount that we have a tentative agreement for in  
15 settlement is the appropriate amount in which to allow the  
16 claim.

17 THE COURT: Very good, Mr. Caine. There's nothing  
18 quite so imperative as a hearing, a substantive hearing, to  
19 focus the mind and get folks to act. So I'm rooting for you.

20 MR. CAINE: Thank you, Your Honor. Item number 17,  
21 Your Honor, is the trust's objection to the claim of the  
22 Virginia Department of Revenue. We have asked that this be  
23 postponed to the June 7 hearing as well.

24 Just a little background. The nature of the  
25 Department's claim relates to not only the same subject matter

1 as Massachusetts, but also the same subject matter as the  
2 Department's claim against another well-known retailer that is  
3 currently set for hearing before the Virginia Supreme Court.  
4 And the ruling of that court is expected to come down this  
5 month.

6 Based on that ruling, we think it is likely that the  
7 matter will settle, whichever way the court comes out. But we  
8 may, indeed, also notice this one for substantive hearing on  
9 June 7 if we can't settle it.

10 THE COURT: Who are you dealing with there? Is that  
11 Mr. Aimes (ph.)?

12 MR. CAINE: I apologize. I am not dealing directly --

13 THE COURT: That's not a problem.

14 MR. CAINE: -- with him.

15 THE COURT: I'm just curious.

16 MR. CAINE: We have outside tax professionals at PwC  
17 that have the direct contact with the --

18 THE COURT: I understand completely.

19 MR. CAINE: -- Department of Revenue.

20 THE COURT: So but you obviously have a lot of faith  
21 in the Virginia Supreme Court.

22 MR. CAINE: I'm trying to think --

23 THE COURT: Not to rule one way or the other, but just  
24 to rule.

25 MR. CAINE: Oh, yes, Your Honor. Well, that is

1 another factor as well, because we made an offer to the  
2 Virginia Department of Revenue many months ago, and the  
3 Department was not willing to respond to the offer until after  
4 the Court ruled. That is the reason why we may end up noticing  
5 it for substantive hearing, because we would like to get this  
6 behind us as well.

7 THE COURT: Very good.

8 MR. CAINE: Your Honor, the balance of the agenda is  
9 going to be handled by Mr. Tabakin. I do have my report of  
10 claims that will remain after the conclusion of today's  
11 matters, and I can either provide that now or I can do it when  
12 he's done; whichever you prefer.

13 THE COURT: I thought you were going to give me a  
14 report from Chavez Ravine, but that's okay. What is your  
15 pleasure, now or at the end?

16 MR. CAINE: I'll wait till he's done.

17 THE COURT: Okay, very good.

18 MR. CAINE: Thank you.

19 MR. TABAKIN: Good afternoon, Your Honor.

20 THE COURT: Good afternoon. So this is the hard part,  
21 right?

22 MR. TABAKIN: Yes, Your Honor, it is.

23 THE COURT: Okay.

24 MR. TABAKIN: Your Honor, with respect to item number  
25 18, the notice and objection to the liquidating trust's first



1 omnibus objection, Your Honor, the trust requests that the sole  
2 remaining claim be adjourned to the June 7, 2017 date.

3 THE COURT: It'll be adjourned.

4 MR. TABAKIN: Thank you, Your Honor. With respect to  
5 agenda item number 19, the liquidating trust's fourth omnibus  
6 objection, Your Honor, all the matters have been resolved, but  
7 the parties request that that sole remaining claim be continued  
8 for documentation purposes.

9 THE COURT: All right, so this will be continued for  
10 documentation purposes.

11 MR. TABAKIN: Thank you, Your Honor.

12 THE COURT: And when you say "continued", to --

13 MR. TABAKIN: To June 7th.

14 THE COURT: -- to June 7th, yeah, okay.

15 MR. TABAKIN: Yes, Your Honor, my apologies.

16 With regard to item number 20, the sixth omnibus  
17 objection to claim, Your Honor, the liquidating trust requests  
18 that all thirty-two remaining claims be adjourned to the June  
19 7, 2017 date.

20 THE COURT: All right, it will be adjourned to that  
21 date.

22 MR. TABAKIN: Thank you, Your Honor.

23 THE COURT: Those are the Old Republic claims?

24 MR. TABAKIN: Yes, sir.

25 THE COURT: All right.

1 MR. TABAKIN: With respect to agenda item number 21,  
2 the ninth omnibus objection, Your Honor, one of those  
3 matters -- actually, two matters were both presently before  
4 this Court on notices of substantive hearing. So the sole  
5 remaining claim has been resolved, but the parties request that  
6 it be continued to the June 7th date for documentation  
7 purposes.

8 THE COURT: All right, it'll be adjourned.

9 MR. TABAKIN: Thank you, Your Honor. With respect to  
10 agenda item number 22, the trust's fourteenth omnibus objection  
11 to claims, both of those matters were previously before this  
12 Court on substantive hearings, and once those orders are  
13 entered, this matter may be removed from the Court's docket.

14 THE COURT: Excellent. All right.

15 MR. TABAKIN: With respect to item number 23, the  
16 fifteenth omnibus objection to claim, three of the matters were  
17 already before this Court -- no, I'm sorry -- four of the  
18 matters were already before this Court on substantive hearings,  
19 and the one remaining objection -- claim objection, the trust  
20 requests be continued to June 17th (sic).

21 THE COURT: All right, it'll be continued.

22 MR. TABAKIN: With request to -- respect -- excuse me,  
23 Your Honor -- to item number 24 on the agenda, the liquidating  
24 trust's seventeenth omnibus objection, one remaining claim is  
25 there that has been solved, but the parties request that it be

1 continued to June 7th for documentation purposes. And the sole  
2 remaining objection, the trust also requests be continued to  
3 that same date.

4 THE COURT: All right, they'll be continued.

5 MR. TABAKIN: Thank you, Your Honor. With request  
6 (sic) to item number 25, the trust's eighteenth omnibus  
7 objection, Your Honor, the trust requests that the one  
8 remaining objection be continued to the June 7th, 2017 date.

9 THE COURT: Very good. It will be.

10 MR. TABAKIN: Thank you, Your Honor. With respect to  
11 agenda item number 26, the twentieth omnibus objection, Your  
12 Honor, four of those matters were already before this Court on  
13 substantive hearings, and the remaining two claims to which the  
14 objection relates, the trust requests that they be continued to  
15 the June 7th date.

16 THE COURT: They'll be continued.

17 MR. TABAKIN: Thank you, Your Honor. With respect to  
18 item number 27, the trust's twenty-first omnibus objection to  
19 claims, Your Honor, that matter may actually be removed from  
20 this Court's docket following the entry of the agreed order  
21 that was reached and noticed to this Court earlier.

22 THE COURT: Very good.

23 MR. TABAKIN: With respect to item number 28, the  
24 twenty-third omnibus objection, Your Honor, one matter has been  
25 resolved, but the parties request that it be continued to the

1 June 7th, 2017 date for documentation purposes. And the  
2 remaining sixteen claim objections, also, the trust requests be  
3 adjourned to that same date.

4 THE COURT: It'll be adjourned.

5 MR. TABAKIN: Thank you, Your Honor. With respect to  
6 item number 29, the twenty-eighth omnibus objection, Your  
7 Honor, one of those matters was already before this Court on a  
8 substantive hearing, and the trust requests that the remaining  
9 two be continued to the June 7th date.

10 THE COURT: They'll be continued.

11 MR. TABAKIN: Thank you, Your Honor. With respect to  
12 item number 30, the thirty-first omnibus objection to claims,  
13 Your Honor, the one substantive hearing was the matter  
14 involving Ms. Scott, and that has been continued, Your Honor.

15 THE COURT: That's fine.

16 MR. TABAKIN: With respect to item number 31, the  
17 liquidating trust's thirty-ninth omnibus objection to claims,  
18 Your Honor, one of those matters has already been before this  
19 Court, and the remaining matter the trust requests be continued  
20 to the June 7th date.

21 THE COURT: That'll be continued.

22 MR. TABAKIN: Your Honor, regarding item number 32,  
23 the fortieth omnibus objection to claims, Your Honor, three of  
24 those matters were already before this Court on substantive  
25 hearings and the one remaining claim objection, the trust

1 requests be continued to the June 7th date.

2 THE COURT: It'll be continued.

3 MR. TABAKIN: Thank you, Your Honor. With respect to  
4 item number 33, the forty-first omnibus objection, Your Honor,  
5 this matter has already been before the Court on a substantive  
6 hearing. The trust will be withdrawing the objection and then  
7 this matter may be removed from the Court's docket.

8 THE COURT: Very good.

9 MR. TABAKIN: Your Honor, with respect to item number  
10 34, the trust's forty-second omnibus objection, Your Honor,  
11 four of the matters were already before the Court on  
12 substantive hearings. And the remaining two matters have been  
13 resolved, but the parties wish to continue the matter to the  
14 June 7th date for documentation purposes.

15 THE COURT: It'll be continued.

16 MR. TABAKIN: Thank you, Your Honor. With respect to  
17 number 35, the sixty-fourth omnibus objection, Your Honor, this  
18 matter was already before the Court, and it may be, following  
19 entry of those orders, removed from the Court's docket.

20 THE COURT: Excellent. All right, thank you very  
21 much, Mr. Tabakin.

22 MR. TABAKIN: Thank you, Your Honor.

23 MR. CAINE: Your Honor, we have made great progress.

24 THE COURT: We have.

25 MR. CAINE: Following the entry of the orders of which

1 we spoke already today, there should be only forty claims left  
2 unresolved. Of those forty, thirty-two are the unliquidated  
3 claims of Old Republic. I have had meaningful conversations  
4 recently with counsel for Old Republic, which concedes that  
5 those claims are invalid, and I am hoping that before June 7 we  
6 will have agreement with Old Republic, at least to get rid of  
7 those claims, if not to resolve the other issues between the  
8 parties.

9 That would leave eight claims, two of which are the  
10 Virginia and Massachusetts tax claims of which we spoke  
11 earlier; one of which is the EEOC claim, of which we spoke  
12 earlier. And that leaves five landlord claims that are  
13 unresolved.

14 We are hoping to get those resolved before the June 7  
15 hearing. If we don't we will likely set them for substantive  
16 hearing. And so it is at least my personal goal that we have  
17 everything done with respect to claims by June 7th.

18 THE COURT: That would be very, very good. To finish  
19 the claims in this case would be a great achievement. So --

20 MR. CAINE: Yes, Your Honor.

21 THE COURT: -- it would be wonderful.

22 MR. CAINE: And I am also very pleased to announce  
23 that on Friday the trust sent out a distribution to unsecured  
24 creditors of another five percent, and that to date, the trust  
25 had distributed fifty percent to general unsecured creditors.

1 THE COURT: That is quite an achievement. So the  
2 trust deserves to be applauded for the success that it's  
3 achieved in this case through the efforts of the liquidating  
4 trustee as well as his professionals.

5 MR. CAINE: Thank you very much, Your Honor. That  
6 concludes my presentation.

7 THE COURT: All right, very good. Well, thank you  
8 very much. Thank you all for today's presentation. It looks  
9 like we're zeroing in on the end of this, which is a wonderful,  
10 wonderful thing. And I'm sure that the creditors are quite  
11 pleased.

12 MR. TABAKIN: Thank you very much.

13 THE COURT: All right.

14 THE COURT OFFICER: All rise. Court is now adjourned.

15 (Whereupon these proceedings were concluded at 2:40 PM)

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X

EXHIBITS:	DESCRIPTION	MARK	ADMIT
FOR THE KEYBANK NATIONAL ASSOCIATION:			
--	Affidavit of Mr. Records		10
FOR U.S. BANK NATIONAL ASSOCIATION:			
--	Affidavit of Mr. Records		12
RULINGS:		PAGE	LINE
Claim number 9734 is allowed in the amount of \$718,269.82		11	1
Claim number 9707 is allowed in the amount of \$629,471.36, and claim number 9407 is expunged.		13	7
Claim of CW Investors allowed in the amount of \$1,057,581.17.		15	5
Claim of Uniwest Management claim allowed in the amount of \$803,238.79.		16	17
Claim 12529 of CW Investors allowed as an administrative claim in the amount of \$26,314.02.		17	7
Cencor Realty claim number 12544 allowed as administrative claim in the amount of \$24,909.01.		17	19
Claim 12541 allowed as a general unsecured claim in the amount of \$562,305.04.		18	6
Claim 12086 allowed as administrative claim in the amount of 478,615 dollars.		19	2
Claim 12085 is allowed as a general unsecured claim in the amount of \$1,395,522.65.		19	16



	RULINGS:	PAGE	LINE
1			
2	Claim 1898 allowed as a general	20	5
3	unsecured claim in the amount of		
	\$211,712.87.		
4	Claim 12548 allowed as an	20	23
5	administrative claim in the amount of		
	\$34,772.65.		
6	Claim 12545 allowed as an unsecured	21	20
7	claim in the amount of \$236,784.05.		
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T I O N

I, Penina Wolicki, the court approved transcriber, do  
hereby certify the foregoing is a true and correct transcript  
from the official electronic sound recording of the proceedings  
in the above-entitled matter.

*Penina Wolicki*

April 7, 2017

\_\_\_\_\_  
PENINA WOLICKI

\_\_\_\_\_  
DATE

AAERT Certified Electronic Transcriber CET\*\*D-569

	<b>affidavit (11)</b> 8:25;9:17,18,22; 10:1,5,8,16,18; 12:21,23	<b>22:11;30:22</b>		<b>claimant (2)</b> 15:24;18:1
<b>\$</b>	<b>afternoon (4)</b> 7:6,7;24:19,20	<b>apologies (1)</b> 25:15	<b>C</b>	<b>claims (20)</b> 13:4,7;24:10; 25:18,23;26:11; 27:13,19;28:12,17, 23:30:1,3,5,7,9,10, 12,17,19
<b>\$1,057,581.17 (2)</b> 14:21;15:6	<b>again (6)</b> 11:22;12:14,19; 16:8;17:15;18:1	<b>apologize (1)</b> 23:12	<b>CAINE (61)</b> 7:6,8,8,15,20,23; 8:1,3,5,9,17,19; 10:22;11:6,15,18,23, 25:12:2,4,6;13:2,10, 12:14:2,5,16,18; 15:7,10;16:3,13,19, 22:17:9,21;18:8,18; 19:4,18;20:7,18,25; 21:11,22;22:17,20; 23:12,14,16,19,22, 25:24:8,16,18;29:23, 25:30:20,22;31:5	<b>class (1)</b> 18:17
<b>\$1,395,522.65 (2)</b> 19:11,17	<b>against (2)</b> 14:7;23:2	<b>apparently (1)</b> 15:13	<b>call (2)</b> 9:14;18:16	<b>clear (1)</b> 10:6
<b>\$211,712.87 (2)</b> 19:25;20:6	<b>agenda (11)</b> 7:5;14:6,12,18; 21:23;24:8;25:5; 26:1,10,23;27:11	<b>appear (2)</b> 15:13,15	<b>called (1)</b> 15:14	<b>CLERK (2)</b> 7:4;15:14
<b>\$236,784.05 (2)</b> 21:15,21	<b>ago (2)</b> 15:14;24:2	<b>appearing (1)</b> 9:13	<b>can (5)</b> 7:21;13:19,20; 24:11,11	<b>client (8)</b> 7:15;8:7,25;9:12; 10:6;17:3;21:6,15
<b>\$24,909.01 (2)</b> 17:14,20	<b>agreed (15)</b> 12:7;14:21;16:8; 17:3,15;18:14,21,22; 19:3,17,24;20:6,13, 24:27;20	<b>applauded (1)</b> 31:2	<b>care (1)</b> 11:13	<b>collateral (1)</b> 10:2
<b>\$26,314.02 (2)</b> 17:2,8	<b>agreement (3)</b> 19:12;22:14;30:6	<b>appropriate (6)</b> 8:14;14:24;21:7, 16;22:10,15	<b>case (2)</b> 30:19;31:3	<b>completely (1)</b> 23:18
<b>\$34,772.65 (2)</b> 20:14,24	<b>agrees (1)</b> 18:1	<b>approvals (1)</b> 22:3	<b>CC (1)</b> 8:10	<b>conceded (1)</b> 21:15
<b>\$562,305.04 (2)</b> 18:1,7	<b>Aimes (1)</b> 23:11	<b>Association (2)</b> 9:16;12:24	<b>Cencor (3)</b> 17:12,15,23	<b>concedes (1)</b> 30:4
<b>\$629,471.36 (2)</b> 11:21;13:8	<b>allow (7)</b> 10:25;17:7,19; 20:5,23;21:20;22:15	<b>Association's (1)</b> 10:19	<b>cents (3)</b> 8:17,18;12:4	<b>concerns (3)</b> 19:6,20;21:2
<b>\$718,269.82 (3)</b> 8:13;10:24;11:1	<b>allowed (26)</b> 17:4,15	<b>assume (1)</b> 13:19	<b>certain (1)</b> 9:11	<b>concluded (1)</b> 31:15
<b>\$803,238.79 (2)</b> 16:7,18	<b>allowing (1)</b> 17:16	<b>attached (1)</b> 9:25	<b>certainly (1)</b> 7:21	<b>concludes (2)</b> 21:22;31:6
<b>A</b>	<b>along (1)</b> 8:25	<b>attend (1)</b> 13:24	<b>Chavez (1)</b> 24:14	<b>conclusion (1)</b> 24:10
<b>able (3)</b> 13:6;14:3;22:11	<b>America (2)</b> 8:7;11:20	<b>awaiting (1)</b> 22:2	<b>checked (1)</b> 9:3	<b>conference (2)</b> 14:8,13
<b>accept (1)</b> 10:12	<b>America's (1)</b> 8:12	<b>B</b>	<b>Circuit (1)</b> 7:4	<b>connection (10)</b> 15:4;16:16;17:6, 18:18;5:19;1,15; 20:4,22;21:19
<b>acceptable (1)</b> 7:17	<b>amount (47)</b> 8:13,13,14;10:24; 11:1,21;12:6,11; 13:8;14:21,21;15:1, 5,20;16:7,8,10,18; 17:2,3,8,14,15,16,20; 18:1,2,7,21,23;19:3, 10,11,13,17,25;20:2, 6,13,15,24;21:14,16, 17,21;22:14,15	<b>back (1)</b> 13:19	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	<b>consistently (1)</b> 9:22
<b>accepted (1)</b> 12:21	<b>amounts (1)</b> 19:8	<b>balance (1)</b> 24:8	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	<b>contact (2)</b> 22:4;23:17
<b>accepts (1)</b> 12:19	<b>Andrew (1)</b> 7:8	<b>Ballard (1)</b> 14:23	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	<b>continue (2)</b> 22:8;29:13
<b>accommodate (1)</b> 7:22	<b>announce (2)</b>	<b>Bank (4)</b> 8:7,12;11:20; 12:24	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	<b>continued (22)</b> 14:13;25:7,9,12; 26:6,20,21;27:1,2,4, 8,14,16,25;28:9,10, 14,19,21;29:1,2,15
<b>accordingly (1)</b> 18:3		<b>based (6)</b> 8:21;10:5;19:11; 21:5,5;23:6	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	<b>continuing (1)</b> 22:1
<b>achieved (1)</b> 31:3		<b>basis (1)</b> 15:19	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	<b>conversations (1)</b> 30:3
<b>achievement (2)</b> 30:19;31:1		<b>begin (1)</b> 8:1	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	<b>counsel (4)</b> 7:10;14:22;16:7; 30:4
<b>act (1)</b> 22:19		<b>behalf (2)</b> 9:11,18	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	<b>COURT (126)</b> 7:1,1,7,13,18,21, 24:8;2,4,8,16,18;9:8; 10:7,16,21,25,25; 11:12,17,22,24;12:1, 3,5,15,19,19;13:1,3,
<b>actually (3)</b> 9:13;26:3;27:19		<b>behind (1)</b> 24:6	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	
<b>adjourned (9)</b> 16:1;25:2,3,18,20; 26:8;28:3,4;31:14		<b>believes (1)</b> 15:19	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	
<b>admin (1)</b> 20:16		<b>belongs (1)</b> 10:6	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	
<b>administrative (8)</b> 16:23;17:8,13; 18:13;19:3;20:18, 24;22:3		<b>both (3)</b> 13:7;26:3,11	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	
<b>admitted (3)</b> 10:16;12:7,22		<b>Bradshaw (1)</b> 7:10	<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	
<b>adversary (1)</b> 14:7			<b>claim (101)</b> 8:6,9,10,12,15,20, 20,23;9:1,20;10:6, 23,23;11:1,3,5,20; 12:8,10,12;13:7,8; 14:19,20;15:12,20, 20,23;16:5,5,6,17,22, 23,23;17:1,7,8,12,12, 13,14,19,23,24,25; 18:6,7,11,12,13,15, 19;19:1,2,3,7,7,9,15, 16,17,21,22,25;20:4, 5,6,10,11,13,16,17, 18,22,23,24;21:3,4,5, 13,13,13,16,19,20, 24:22:16,21,25;23:2; 25:2,7,17;26:5,16, 19,24;28:2,25;30:11	

6,11,13,16,22;14:1,4, 15,17,25;15:3,9; 16:1,11,15,21;17:5, 7,17,19;18:2,4,16,24, 25;19:14;20:1,3,5, 14,16,20,21,23;21:9, 18,20;22:17;23:3,4, 7,10,13,15,18,20,21, 23;24:4,7,13,17,20, 23;25:3,9,12,14,20, 23,25;26:4,8,12,14, 17,18,21;27:4,9,12, 16,21,22;28:4,7,10, 15,19,21,24;29:2,5,8, 11,15,18,20,24; 30:18,21;31:1,7,13, 14,14	<b>directly (1)</b> 23:12 <b>discrimination (1)</b> 15:20 <b>dismiss (2)</b> 14:9,14 <b>distributed (1)</b> 30:25 <b>distribution (1)</b> 30:23 <b>docket (4)</b> 26:13;27:20;29:7, 19 <b>documentation (8)</b> 11:9;12:9;25:8,10; 26:6;27:1;28:1; 29:14 <b>documents (3)</b> 10:1;18:20;19:9 <b>dollars (3)</b> 18:19,22;19:3 <b>done (5)</b> 13:21,22;24:12, 16;30:17 <b>down (2)</b> 18:14;23:4 <b>duly (1)</b> 9:2	<b>ended (1)</b> 11:8 <b>English (1)</b> 18:17 <b>enter (4)</b> 14:25;18:3;20:1, 15 <b>entered (2)</b> 16:9;26:13 <b>entitled (1)</b> 12:8 <b>entry (3)</b> 27:20;29:19,25 <b>evidence (2)</b> 10:18;12:23 <b>exact (1)</b> 12:17 <b>Excellent (3)</b> 11:12;26:14;29:20 <b>excuse (1)</b> 26:22 <b>excused (1)</b> 13:14 <b>exhibit (5)</b> 10:17,19;11:4,6; 12:24 <b>expected (1)</b> 23:4 <b>expressed (1)</b> 22:4 <b>expunged (4)</b> 8:21;10:23;12:13; 13:9	30:18 <b>fire (1)</b> 22:10 <b>firm (2)</b> 9:11;14:23 <b>first (1)</b> 24:25 <b>five (2)</b> 30:12,24 <b>flight (2)</b> 13:19;14:1 <b>focus (1)</b> 22:19 <b>folks (1)</b> 22:19 <b>following (3)</b> 27:20;29:18,25 <b>force (1)</b> 15:21 <b>foreclosed (2)</b> 8:22;10:3 <b>foreshadowing (1)</b> 18:16 <b>former (1)</b> 22:13 <b>forth (1)</b> 13:3 <b>fortieth (1)</b> 28:23 <b>forty (2)</b> 30:1,2 <b>forty-first (1)</b> 29:4 <b>forty-second (1)</b> 29:10 <b>four (3)</b> 26:17;27:12;29:11 <b>fourteenth (1)</b> 26:10 <b>fourth (1)</b> 25:5 <b>Friday (1)</b> 30:23 <b>front (1)</b> 10:8 <b>frustration (1)</b> 22:4	<b>granted (1)</b> 13:23 <b>great (2)</b> 29:23;30:19
<b>courtroom (1)</b> 12:20 <b>Court's (4)</b> 26:13;27:20;29:7, 19 <b>creditors (3)</b> 30:24,25;31:10 <b>cross-examine (1)</b> 10:10 <b>curious (1)</b> 23:15 <b>currently (1)</b> 23:3 <b>CW (3)</b> 14:19,22;16:22	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
<b>D</b>	<b>earlier (4)</b> 13:19;27:21; 30:11,12 <b>Edwards (19)</b> 7:11,13,24;8:24; 9:6,9,10,11;10:7,15, 20;12:14,15,17,25; 13:13,15,18,25 <b>Edwards' (2)</b> 8:7;14:2 <b>EEOC (1)</b> 30:11 <b>effect (1)</b> 11:16 <b>efforts (1)</b> 31:3 <b>eight (1)</b> 30:9 <b>eighteenth (1)</b> 27:6 <b>eighty-two (2)</b> 8:17,18 <b>either (2)</b> 9:4;24:11 <b>email (1)</b> 9:3 <b>employee (1)</b> 15:21 <b>employees (1)</b> 15:22 <b>end (4)</b> 9:3;24:4,15;31:9	<b>fact (1)</b> 9:3 <b>factor (1)</b> 24:1 <b>faith (1)</b> 23:20 <b>familiar (2)</b> 9:24;10:9 <b>Federal (3)</b> 18:12;19:7;21:13 <b>fifteenth (1)</b> 26:16 <b>fifty (1)</b> 30:25 <b>file (4)</b> 8:24;9:2,24,25 <b>filed (2)</b> 14:8;15:13 <b>final (1)</b> 21:11 <b>finally (1)</b> 11:10 <b>find (1)</b> 11:5 <b>fine (2)</b> 7:20;28:15 <b>finish (1)</b>	<b>general (5)</b> 18:7;19:16;20:6, 17;30:25 <b>giving (1)</b> 14:10 <b>goal (1)</b> 30:16 <b>Good (19)</b> 7:6,7,21,23;9:8; 11:13;13:6;16:1; 20:20;22:17;24:7,17, 19,20;27:9,22;29:8; 30:18;31:7	<b>handle (1)</b> 7:16 <b>handled (2)</b> 16:24;24:9 <b>happy (1)</b> 13:4 <b>hard (1)</b> 24:20 <b>hear (2)</b> 10:5;13:20 <b>heard (11)</b> 9:9;15:3;16:15; 17:5,17;18:5;19:1, 14;20:3,22;21:18 <b>hearing (35)</b> 8:6,11,19;10:12; 11:19;14:10,11,14; 15:11,18,19,25;16:4; 17:11;18:11;19:21; 20:10;21:3,12;22:1, 6,7,9,18,18,23;23:3, 8;24:5;26:4;28:8,13; 29:6;30:15,16 <b>hearings (6)</b> 21:23;26:12,18; 27:13;28:25;29:12 <b>help (1)</b> 11:2 <b>hereby (2)</b> 10:18;12:23 <b>higher (1)</b> 19:10 <b>holder (1)</b> 9:20 <b>Honor (90)</b> 7:6,11,20;8:1;9:5, 10;10:4,15,20,22; 11:7,15,18;12:17,25; 13:2,10,15,18;14:6, 7,10,16,18;15:7,10, 16;16:3,9,19;17:9, 21;18:8,10,13,23; 19:4,12,18;20:7,19, 25;21:2,8,12,22,25; 22:7,20,21;23:25; 24:8,19,22,24;25:1, 4,6,11,15,17,22;26:2, 9,23;27:5,7,10,12,17, 19,24;28:5,7,11,13, 14,18,22,23;29:3,4,9, 10,16,17,22,23; 30:20;31:5 <b>Hopefully (1)</b> 22:10 <b>hoping (2)</b> 30:5,14

<b>housekeeping (1)</b> 11:2	<b>June (24)</b> 14:9;15:18;16:2; 22:7,8,23;23:9;25:2, 13,14,18;26:6,20; 27:1,8,15;28:1,9,20; 29:1,14;30:5,14,17	<b>location (2)</b> 16:24;17:24	<b>need (1)</b> 10:13	22:11
<b>I</b>		<b>long (1)</b> 15:14	<b>next (2)</b> 21:23;22:6	<b>Old (4)</b> 25:23;30:3,4,6
<b>imperative (1)</b> 22:18		<b>looking (1)</b> 11:4	<b>ninety (1)</b> 15:22	<b>omnibus (21)</b> 14:9;15:19;22:6; 25:1,5,16;26:2,10, 16,24;27:6,11,18,24; 28:6,12,17,23;29:4, 10,17
<b>Inc (1)</b> 7:4	<b>K</b>	<b>looks (1)</b> 31:8	<b>ninth (1)</b> 26:2	<b>once (3)</b> 12:19;14:3;26:12
<b>included (1)</b> 15:22	<b>Kansas (1)</b> 13:19	<b>lot (1)</b> 23:20	<b>notice (29)</b> 8:11,19,24;9:2; 11:19;13:4;14:20; 15:1,10,13;16:6; 17:1,13,25;18:10,13, 18;19:10,21,24;20:9, 12;21:2,11,14;22:6, 9;23:8;24:25	<b>one (13)</b> 18:15;23:8,23; 26:2,19,24;27:7,24; 28:7,13,18,25;30:11
<b>including (1)</b> 10:2	<b>Katie (1)</b> 7:10	<b>M</b>	<b>noticed (4)</b> 8:5;9:2;14:9;27:21	<b>ones (1)</b> 16:13
<b>indeed (1)</b> 23:8	<b>KeyBank (2)</b> 9:16;10:19	<b>magic (2)</b> 14:4,5	<b>notices (1)</b> 26:4	<b>only (2)</b> 22:25;30:1
<b>Independence (1)</b> 8:10	<b>known (1)</b> 15:12	<b>maintained (1)</b> 9:25	<b>noticing (1)</b> 24:4	<b>order (25)</b> 7:3,16;11:10,16; 13:3;14:25;15:8; 16:9,20;17:4,10,16, 22;18:3,9,24;19:5, 12,19;20:1,8,15; 21:1,17;27:20
<b>indicate (1)</b> 15:14	<b>L</b>	<b>Management (2)</b> 16:5;20:11	<b>number (68)</b> 8:3,6,9,16,20; 10:23,23;11:1,3,14, 18,20,22;12:12;13:7, 8;14:6,18,19;15:10; 16:3,5,22,23,24; 17:11,12,23,24;18:6, 10,12,14;19:1,6,7,15, 20,21;20:4,9,10,22; 21:2,3,12,13,19,24; 22:20;24:24;25:5, 16;26:1,10,15,23; 27:6,11,18,23;28:6, 12,16,22;29:4,9,17	<b>orders (5)</b> 13:5,12;26:12; 29:19,25
<b>indicated (1)</b> 22:5	<b>landlord (7)</b> 8:10,20;9:1,11;8; 12:7,12;30:12	<b>many (1)</b> 24:2	<b>numbers (1)</b> 7:16	<b>originally (1)</b> 14:9
<b>informally (1)</b> 12:8	<b>landlords (1)</b> 16:11	<b>Massachusetts (4)</b> 19:23;21:25;23:1; 30:10	<b>O</b>	<b>out (4)</b> 7:16;9:22;23:7; 30:23
<b>information (5)</b> 8:21;9:14;10:14; 14:24;21:6	<b>last (1)</b> 9:3	<b>matter (15)</b> 11:2;22:6,8,25; 23:1,7;26:13;27:19, 24;28:13,19;29:5,7, 13,18	<b>object (1)</b> 12:21	<b>outside (1)</b> 23:16
<b>intend (1)</b> 22:5	<b>lease (1)</b> 10:2	<b>matters (13)</b> 24:11;25:6;26:3,3, 11,16,18;27:12;28:7, 18,24;29:11,12	<b>objection (50)</b> 8:4,5;10:12;14:19; 15:4,11,17,18;16:4, 16;17:6,18;18:5,11; 19:15;20:4,10,22; 21:4,8,9,19,24; 22:21;24:25;25:1,6, 17;26:2,10,16,19,19, 24;27:2,7,8,11,14,18, 24;28:6,12,17,23,25; 29:4,6,10,17	<b>overseeing (1)</b> 9:23
<b>intention (3)</b> 8:24;9:2;15:13	<b>least (2)</b> 30:6,16	<b>may (10)</b> 10:5;13:13;14:11; 21:25;23:8;24:4; 26:13;27:19;29:7,18	<b>object (1)</b> 12:21	<b>owner (2)</b> 8:23;12:10
<b>interests (1)</b> 10:3	<b>leave (2)</b> 13:23;30:9	<b>McDonald (1)</b> 22:12	<b>obviously (1)</b> 23:20	<b>ownership (1)</b> 9:1
<b>into (2)</b> 10:18;12:23	<b>leaves (1)</b> 30:12	<b>meaningful (1)</b> 30:3	<b>offer (2)</b> 24:1,3	<b>P</b>
<b>invalid (1)</b> 30:5	<b>Leesburg (1)</b> 20:12	<b>mind (3)</b> 7:11,13;22:19	<b>OFFICER (3)</b> 7:1,10;31:14	<b>Pachulski (1)</b> 7:8
<b>Investment (1)</b> 18:12	<b>left (1)</b> 30:1	<b>mitigation (2)</b> 14:24;21:6	<b>official (1)</b>	<b>part (3)</b> 13:20,22;24:20
<b>Investors (5)</b> 14:19,22;16:23; 19:22;21:4	<b>lender (9)</b> 8:14,21;9:11,17; 11:9,20;12:7,9,10	<b>month (1)</b> 23:5		<b>parties (16)</b> 14:12;18:21,23; 19:8,12,24;20:1,12, 14;21:17;25:7;26:5, 25;27:25;29:13;30:8
<b>involving (1)</b> 28:14	<b>lender's (1)</b> 9:1	<b>months (1)</b> 24:2		<b>party (11)</b> 10:10;15:3;16:15; 17:5,17;18:4,25; 19:14;20:3,21;21:18
<b>issue (2)</b> 9:17,24	<b>light (1)</b> 22:10	<b>motion (4)</b> 7:24;14:9,14;15:4		<b>Patricia (2)</b> 15:12,12
<b>issues (1)</b> 30:7	<b>likely (2)</b> 23:6;30:15	<b>much (6)</b> 12:25;13:25; 29:21;31:5,8,12		<b>pay (1)</b> 15:20
<b>Item (36)</b> 8:3;11:13,18;14:6; 15:10;16:3,22,24; 17:11,23;18:10;19:6, 20;20:9;21:2,12,23, 23;22:20;24:24; 25:5,16;26:1,10,15, 23;27:6,11,18,23; 28:6,12,16,22;29:4,9	<b>liquidating (7)</b> 7:9;24:25;25:5,17; 26:23;28:17;31:3	<b>mystery (1)</b> 11:13		<b>per (1)</b>
<b>items (1)</b> 7:4	<b>little (1)</b> 22:24	<b>N</b>		
<b>J</b>	<b>LLC (1)</b> 8:10	<b>National (3)</b> 9:16;10:19;12:24		
	<b>loan (3)</b> 9:24,25;10:1	<b>nature (1)</b> 22:24		
	<b>loans (1)</b> 9:23			
	<b>locate (1)</b> 13:7			
<b>Jones (1)</b> 7:9	<b>locating (1)</b> 11:3			

April 5, 2017

15:17 <b>percent (2)</b> 30:24,25 <b>Perry (1)</b> 15:12 <b>person (1)</b> 7:12 <b>personal (1)</b> 30:16 <b>ph (1)</b> 23:11 <b>phone (2)</b> 7:15;9:12 <b>photo (1)</b> 14:2 <b>place (1)</b> 11:4 <b>places (1)</b> 14:3 <b>Please (2)</b> 7:3;11:22 <b>pleased (2)</b> 30:22;31:11 <b>pleasure (1)</b> 24:15 <b>PM (1)</b> 31:15 <b>Pollack (4)</b> 14:22;16:8;18:21; 21:15 <b>Pollack's (2)</b> 17:2;21:6 <b>Polsinelli (1)</b> 9:11 <b>position (1)</b> 9:19 <b>postpone (1)</b> 15:17 <b>postponed (1)</b> 22:23 <b>potential (1)</b> 21:5 <b>prefer (1)</b> 24:12 <b>prepared (1)</b> 15:22 <b>present (1)</b> 10:4 <b>presentation (4)</b> 15:23;22:13;31:6, 8 <b>presently (1)</b> 26:3 <b>president (1)</b> 9:15 <b>pre-trial (2)</b> 14:8,13 <b>previously (2)</b> 11:7;26:11 <b>prior (1)</b> 15:25 <b>pro (1)</b> 15:17	<b>problem (3)</b> 7:18;11:9;23:13 <b>proceeding (2)</b> 10:17;14:7 <b>proceedings (1)</b> 31:15 <b>professionals (2)</b> 23:16;31:4 <b>proffer (5)</b> 10:12;12:14,16,18, 20 <b>proffered (1)</b> 10:10 <b>progress (1)</b> 29:23 <b>proof (1)</b> 10:1 <b>proper (1)</b> 12:10 <b>property (7)</b> 8:22;9:24;10:2; 11:21;19:6,22;20:11 <b>propose (1)</b> 15:17 <b>proposed (1)</b> 7:5 <b>provide (2)</b> 10:13;24:11 <b>provided (3)</b> 8:21;12:9;21:6 <b>purposes (6)</b> 25:8,10;26:7;27:1; 28:1;29:14 <b>PwC (1)</b> 23:16	10:18;12:23;14:23 <b>recently (1)</b> 30:4 <b>recited (2)</b> 12:12;15:1 <b>reconciled (4)</b> 8:14;12:7;18:21; 19:8 <b>reconciliation (1)</b> 18:20 <b>record (1)</b> 10:14 <b>Records (8)</b> 9:13,15,18,21; 10:8,18;12:23;13:20 <b>Records' (1)</b> 10:13 <b>reduced (10)</b> 14:21;16:7;17:2, 14;18:1,7,19;19:25; 20:13;21:14 <b>reduction (3)</b> 15:21;21:5,7 <b>reflects (1)</b> 14:12 <b>regard (1)</b> 25:16 <b>regarding (1)</b> 28:22 <b>relates (2)</b> 22:25;27:14 <b>relevant (1)</b> 10:1 <b>relief (2)</b> 9:5;13:3 <b>remain (1)</b> 24:10 <b>remaining (14)</b> 25:2,7,18;26:5,19, 24;27:2,8,13;28:2,8, 19,25;29:12 <b>removed (4)</b> 26:13;27:19;29:7, 19 <b>report (2)</b> 24:9,14 <b>reported (1)</b> 11:7 <b>representative (1)</b> 9:13 <b>represents (2)</b> 16:11,13 <b>Republic (4)</b> 25:23;30:3,4,6 <b>request (14)</b> 7:16;17:4;18:23; 19:9,12;20:1,14; 21:17;25:7;26:5,22, 25;27:5,25 <b>requested (6)</b> 8:12;14:10,12; 19:11,24;20:12 <b>requests (17)</b>	9:5;13:3;14:25; 16:9;17:16,25;18:2; 25:1,17;26:20;27:2, 7,14;28:2,8,19;29:1 <b>resolve (2)</b> 15:25;30:7 <b>resolved (6)</b> 11:10;25:6;26:5; 27:25;29:13;30:14 <b>respect (24)</b> 15:11;16:4,24; 17:12;19:21;20:10; 21:3,12;24:24;25:4; 26:1,9,15,22;27:10, 17,23;28:5,11,16; 29:3,9,16;30:17 <b>respond (2)</b> 9:4;24:3 <b>responsible (1)</b> 9:23 <b>rest (1)</b> 13:16 <b>result (12)</b> 10:22;12:10;13:2; 14:12;16:9;17:3,16; 18:2;20:1,14;21:7,16 <b>retailer (1)</b> 23:2 <b>Returning (1)</b> 14:5 <b>Revenue (5)</b> 21:25;22:5,22; 23:19;24:2 <b>review (1)</b> 18:20 <b>reviewed (1)</b> 10:9 <b>reviewing (1)</b> 19:8 <b>Richmond (1)</b> 7:10 <b>rid (1)</b> 30:6 <b>right (39)</b> 8:4,8;9:8;10:7,8, 25;11:13,17;12:3,15; 13:6;15:5,9;16:1,17, 21;17:7,19;18:4,6, 25;19:2,16;20:5,21, 23;21:9,20;24:21; 25:9,20,25;26:8,14, 21;27:4;29:20;31:7, 13 <b>rightful (3)</b> 8:23;9:1,19 <b>rise (2)</b> 7:1;31:14 <b>Rob (1)</b> 9:10 <b>Robert (1)</b> 9:13 <b>rooting (1)</b> 22:19	<b>rule (2)</b> 23:23,24 <b>ruled (1)</b> 24:4 <b>ruling (2)</b> 23:4,6
<b>S</b>				
<b>Safe (1)</b> 14:1 <b>SafeCo (2)</b> 14:7,8 <b>same (11)</b> 12:14,16,17; 14:13;16:24;17:24; 19:6;22:25;23:1; 27:3;28:3 <b>satisfied (1)</b> 10:14 <b>saw (1)</b> 18:18 <b>Scott (3)</b> 15:12,13;28:14 <b>screen (1)</b> 14:2 <b>seated (1)</b> 7:3 <b>secured (1)</b> 9:23 <b>seeing (1)</b> 12:20 <b>senior (1)</b> 7:10 <b>sent (1)</b> 30:23 <b>servicer (1)</b> 9:16 <b>servicing (1)</b> 9:15 <b>session (1)</b> 7:2 <b>set (5)</b> 9:22;13:3;14:7; 23:3;30:15 <b>setting (1)</b> 14:11 <b>settle (2)</b> 23:7,9 <b>settled (1)</b> 11:7 <b>settlement (4)</b> 11:10;22:2,12,15 <b>seventeenth (1)</b> 26:24 <b>several (1)</b> 19:8 <b>sic (2)</b> 26:20;27:6 <b>similar (1)</b> 11:19 <b>Similarly (1)</b> 19:7				

<b>sit (1)</b> 13:16	7:9;24:9,19,22,24; 25:4,11,13,15,22,24;	<b>try (1)</b> 15:24	<b>well-known (1)</b> 23:2	<b>12544 (1)</b> 17:12
<b>sixteen (1)</b> 28:2	26:1,9,15,22;27:5, 10,17,23;28:5,11,16,	<b>trying (1)</b> 23:22	<b>what's (1)</b> 9:22	<b>12545 (2)</b> 21:13,19
<b>sixth (1)</b> 25:16	22:29;3,9,16,21,22; 31:12	<b>twentieth (1)</b> 27:11	<b>Whereupon (1)</b> 31:15	<b>12548 (2)</b> 20:10,22
<b>sixty-fourth (1)</b> 29:17	<b>tax (3)</b> 22:13;23:16;30:10	<b>twenty-eighth (1)</b> 28:6	<b>whichever (2)</b> 23:7;24:12	<b>12631 (1)</b> 14:19
<b>slightly (1)</b> 19:10	<b>tentative (2)</b> 22:2,14	<b>twenty-first (1)</b> 27:18	<b>who's (1)</b> 9:13	<b>12992 (1)</b> 16:5
<b>Slowly (1)</b> 11:24	<b>terminated (1)</b> 15:21	<b>twenty-third (1)</b> 27:24	<b>whose (1)</b> 7:24	<b>13 (1)</b> 21:12
<b>sole (4)</b> 25:1,7;26:4;27:1	<b>testify (3)</b> 9:21,21;10:13	<b>two (7)</b> 13:4;14:3;26:3; 27:13;28:9;29:12; 30:9	<b>willing (2)</b> 10:4;24:3	<b>14 (3)</b> 7:16;8:3;11:14
<b>solved (1)</b> 26:25	<b>testimony (1)</b> 10:13	<b>U</b>	<b>wish (14)</b> 9:9;10:10;12:15; 15:3;16:15;17:5,17; 18:4,25;19:14;20:3, 21;21:18;29:13	<b>15 (2)</b> 7:16;11:18
<b>solves (1)</b> 11:12	<b>That'll (1)</b> 28:21		<b>wishes (1)</b> 12:21	<b>16 (1)</b> 21:24
<b>sorry (2)</b> 8:16;26:17	<b>thereof (1)</b> 13:5	<b>UBS (2)</b> 19:22;21:4	<b>withdrawing (1)</b> 29:6	<b>17 (1)</b> 22:20
<b>special (3)</b> 9:15,16;14:11	<b>thirty-first (1)</b> 28:12	<b>Um-hum (1)</b> 12:1	<b>withdrawn (1)</b> 21:10	<b>17th (1)</b> 26:20
<b>spoke (3)</b> 30:1,10,11	<b>thirty-ninth (1)</b> 28:17	<b>under (1)</b> 9:14	<b>withdraws (1)</b> 21:8	<b>18 (1)</b> 24:25
<b>Stang (1)</b> 7:8	<b>thirty-six (1)</b> 12:4	<b>Uniwest (3)</b> 16:5,7;20:11	<b>witness (1)</b> 10:11	<b>1898 (2)</b> 19:21;20:4
<b>Stores (1)</b> 7:4	<b>thirty-two (2)</b> 25:18;30:2	<b>unliquidated (1)</b> 30:2	<b>wondered (1)</b> 14:3	<b>19 (1)</b> 25:5
<b>subject (2)</b> 22:25;23:1	<b>thought (1)</b> 24:13	<b>unresolved (2)</b> 30:2,13	<b>wonderful (3)</b> 30:21;31:9,10	<b>2</b>
<b>submit (12)</b> 11:15;13:4,12; 15:7;16:19;17:9,21; 18:8;19:4,18;20:7,25	<b>three (2)</b> 26:16;28:23	<b>unsecured (12)</b> 17:24;18:7;19:6, 17,22;20:6,11,17; 21:4,13;30:23,25	<b>write (2)</b> 18:14,18	
<b>submitted (3)</b> 9:17,18;16:6	<b>till (1)</b> 24:16	<b>up (2)</b> 11:8;24:4	<b>wrong (1)</b> 11:4	<b>2 (2)</b> 14:18;16:25
<b>substantive (29)</b> 8:6,11,19;11:19; 15:11,17,18;16:4; 17:11;18:11;19:20; 20:9;21:3,11,23; 22:6,18;23:8;24:5; 26:4,12,18;27:13; 28:8,13,24;29:5,12; 30:15	<b>today (3)</b> 9:19;16:14;30:1	<b>used (1)</b> 18:16	<b>Z</b>	<b>2:40 (1)</b> 31:15
<b>success (1)</b> 31:2	<b>today's (3)</b> 14:8;24:10;31:8	<b>V</b>		<b>zeroing (1)</b> 31:9
<b>suggest (1)</b> 21:7	<b>top (1)</b> 14:5		<b>various (2)</b> 18:20;22:3	<b>Ziehl (1)</b> 7:8
<b>suit (1)</b> 7:19	<b>trouble (1)</b> 11:3	<b>vice (1)</b> 9:15	<b>1</b>	<b>2017 (4)</b> 25:2,19;27:8;28:1
<b>summarized (1)</b> 9:6	<b>trust (35)</b> 7:9,10;8:11,13; 9:5,17;10:22;12:6, 11;13:3;14:22,23,25; 15:19,22;16:6,9; 17:1,16;18:2;21:8; 25:1,17;26:19;27:2, 7,14;28:2,8,19,25; 29:6;30:23,24;31:2	<b>Virginia (6)</b> 20:12;22:22;23:3, 21;24:2;30:10		<b>1 (2)</b> 7:4;14:6
<b>support (1)</b> 9:18	<b>trustee (1)</b> 31:4	<b>VP (1)</b> 22:13	<b>10 (1)</b> 19:20	<b>22 (1)</b> 26:10
<b>Supreme (2)</b> 23:3,21	<b>trusts (1)</b> 9:12	<b>W</b>	<b>11 (1)</b> 20:9	<b>23 (1)</b> 26:15
<b>Sure (2)</b> 11:23;31:10	<b>trust's (23)</b> 8:6;11:19;14:6,19, 20;15:11;16:4; 17:11,13,25;18:11; 19:20;20:9;21:24; 22:21;24:25;25:5; 26:10,24;27:6,18; 28:17;29:10		<b>wait (1)</b> 24:16	<b>12 (1)</b> 21:2
<b>T</b>		<b>way (4)</b> 9:24;15:25;23:7, 23	<b>12085 (2)</b> 19:7,15	<b>25 (1)</b> 27:6
		<b>week (1)</b> 9:4	<b>12086 (2)</b> 18:12;19:1	<b>26 (1)</b> 27:11
<b>Tabakin (29)</b>		<b>welcome (2)</b> 10:21;13:16	<b>12529 (1)</b> 16:23	<b>27 (1)</b> 27:18
			<b>12541 (2)</b> 17:24;18:6	<b>28 (1)</b> 27:23
				<b>29 (1)</b> 28:6
				<b>3</b>
				<b>3 (1)</b>

15:10 <b>30 (1)</b> 28:12 <b>31 (1)</b> 28:16 <b>311,617 (1)</b> 18:19 <b>32 (1)</b> 28:22 <b>33 (1)</b> 29:4 <b>34 (2)</b> 7:5;29:10 <b>35 (1)</b> 29:17	<b>9407 (2)</b> 12:12;13:8 <b>9413 (4)</b> 8:9;20;10:23;11:3 <b>9707 (3)</b> 11:20;12:11;13:7 <b>9734 (4)</b> 8:6;12;10:23;11:1			
<b>4</b>				
<b>4 (1)</b> 16:3 <b>471 (1)</b> 12:2 <b>478,615 (2)</b> 18:22;19:3 <b>4th (1)</b> 14:11				
<b>5</b>				
<b>5 (1)</b> 16:22				
<b>6</b>				
<b>6 (1)</b> 17:11 <b>629 (1)</b> 11:25				
<b>7</b>				
<b>7 (7)</b> 17:23;22:23;23:9; 25:2,19;30:5,14 <b>718,269 (1)</b> 8:16 <b>7th (17)</b> 14:9;15:18;16:2; 22:7,8;25:13,14; 26:6;27:1,8,15;28:1, 9,20;29:1,14;30:17				
<b>8</b>				
<b>8 (1)</b> 18:10 <b>8107 (1)</b> 21:3				
<b>9</b>				
<b>9 (1)</b> 19:6				